

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DONNA M. GRITTERS;)	
	Plaintiff,)	CIVIL ACTION
)	
OCWEN LOAN SERVICING, LLC;)	File No. 1:14-cv-916
NATIONSTAR MORTGAGE, LLC;	v.)	
FEDERAL HOME LOAN)	Hon. Jorge Luis Alonso
MORTGAGE CORPORATION; AND)	
PIERCE & ASSOCIATES, P.C.;)	
	Defendants.)	

AGREED MOTION TO EXTEND THE CLOSE OF FACT DISCOVERY

Plaintiff Donna M. Gritters (“Gritters”) and Defendants Ocwen Loan Servicing, LLC, Nationstar Mortgage, LLC, Federal Home Loan Mortgage Corporation, and Pierce & Associates bring this agreed motion to extend the close of fact discovery from July 31, 2015 to September 30, 2015. In support of this motion, the parties state as follows:

BACKGROUND

1. On February 10, 2014, Gritters filed the instant lawsuit against Defendants Ocwen Loan Servicing, LCC (“Ocwen”), Nationstar Mortgage, LLC (“Nationstar”), Pierce & Associates, P.C. (“Pierce”), and Freddie Mac (collectively “Defendants”) that included the following causes of action:

- a. **Count I** – Breach of Contract (Ocwen, Nationstar, Freddie Mac);
- b. **Count II** – FDCPA (Ocwen, Nationstar, Freddie Mac);
- c. **Count III** – FDCPA (Pierce);
- d. **Counts IV** – Illinois Consumer Fraud and Deceptive Business Practices Act (Ocwen, Nationstar, Freddie Mac);
- e. **Count V** – RESPA (Ocwen and Nationstar);
- f. **Count VI** – Breach of Fiduciary Duty (Ocwen, Nationstar, Freddie Mac); and
- g. **Count VII** – TILA (Freddie Mac).

[Doc. No. 1].

2. The parties requested a referral of this matter to the magistrate for settlement purposes, and that motion was granted on February 10, 2015. [Doc. No. 64].

3. Gritters moved for leave to amend the Complaint on February 18, 2015, and that motion was granted on March 3, 2015. [Doc. Nos. 68, 72]. Gritters filed her First Amended Complaint on March 3, 2015. [Doc. No. 73].

4. In connection with the settlement referral, the parties filed an agreed motion to extend the close of fact discovery until July 31, 2015, and that motion was granted on April 6, 2015. [Doc. Nos. 81, 83].

5. All Defendants moved to dismiss the First Amended Complaint, and those motions are fully briefed. [Doc. Nos. 85, 87, 88].

6. The parties exchanged settlement letters pursuant to Judge Gilbert's request, but the settlement referral was terminated on May 18, 2015 after the parties agreed that a settlement was not feasible at that time. [Doc. No. 105].

7. All parties have propounded and responded to written discovery, with certain supplemental documents and responses still being exchanged. Gritters issued and served Rule 30(b)(6) notices of deposition for each of the Defendants. The Rule 30(b)(6) deposition of Defendant Nationstar was conducted on June 25, 2015. Additionally, Defendants intend to depose at least six witnesses disclosed in Gritters' discovery responses and Amended Rule 26(a)(1) Disclosures.

8. Accordingly, given the termination of the settlement referral, the ongoing exchange of written discovery, and the proposed depositions of a number of potential damages witnesses, the parties respectfully request that the close of fact discovery be extended through September 30, 2015 so the parties can complete written and oral discovery.

WHEREFORE, the parties respectfully request that this Honorable Court:

- a. Enter an order extending the close of fact discovery to September 30, 2015; and
- b. Enter any further relief this Court deems just and proper.

Date: July 7, 2015

Donna Gritters

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& Nationstar Mortgage LLC**

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CERTIFICATE OF SERVICE

I, Chethan G. Shetty, an attorney, certify that on July 7, 2015, I caused the foregoing **Agreed Motion to Extend the Close of Fact Discovery** to be served upon all parties registered and authorized to receive such service through the Court's Case Management/Electronic Case Files (CM/ECF) system.

/s/ Chethan G. Shetty